

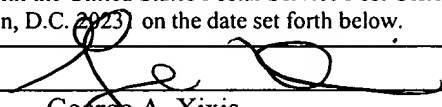


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Matthew During <i>et al.</i>
Application No:	09/863,179
Filing Date:	May 23, 2001
Entitled:	Glutamic Acid Decarboxylase (GAD) Based Delivery Systems
Atty. Docket No:	102182-12
Confirmation No:	9640

Group Art Unit: 1632
Examiner: A.M. Falk

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<u>Certificate of Mailing (37 C.F.R. 1.8(a))</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 2023 on the date set forth below.	
<u>Nov. 12, 2003</u>	By: 
Date of Signature and Mail Deposit	George A. Xixis Reg. No. 38,664

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

In response to the Office Action mailed September 26, 2003, and the Examiner Interview of October 24, 2003, Applicant submits the following Amendments to the Claims, Remarks and Declaration of Michael Kaplitt, M.D., Ph.D.. Pursuant to 37 CFR 1.114 and MPEP 706.07(h) a Request for Continued Examination (RCE) is being filed herewith. A check for the fee is enclosed. The Commissioner is hereby authorized to charge any deficiencies in the required Fees to Deposit Account No. 141449. In accordance with the new format for amendments, a complete listing of the pending claims (with markings to show current changes) is attached.



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#RCE
1632

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/863,179
	Filing Date	May 23, 2001
	First Named Inventor	Matthew During et al
	Art Unit	1632
	Examiner Name	A.M. Falk
	Attorney Docket No.	102182-12

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment and Response

iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Declaration of Dr. Michael Kaplitt with Exhibits A-F

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any underpayments or credit any overpayments, to Deposit Account No. 141448

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

ii. ☐ Other _____

b. ☒ Check in the amount of \$ 770.00 is enclosed for RCE fee.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	George A. Xixis	Registration No. (Attorney/Agent)	38,664
Signature		Date	Nov. 12, 2003

11/17/2003 ANONDAF1 00000126 09863179

01 FC:1801	770.00 OP
02 FC:1201	172.00 OP
03 FC:1202	288.00 OP

1273051.1



AMENDMENT TRANSMITTAL LETTER

Docket No.
102182-12

Application No.
09/863,179

Filing Date
May 23, 2001

Examiner
A.M. Falk

Art Unit
1632

Applicant(s): Matthew During et al.

Invention: Glutamic Acid Decarboxylase (GAD) Based Delivery System

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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	41	- 25 =	16	x 18	\$288.00
Independent Claims	5	- 3 =	2	x 86	\$172.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					\$460.00

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ A check in the amount of \$ 460.00 is enclosed for extra claims fee.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 141449 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

George A. Xixis
Attorney Reg. No.: 38,664

Dated: Nov 12, 2003